

**Introduced by Senator Migden**

February 23, 2007

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An act to add Section 124991 to the Health and Safety Code, relating to umbilical cord blood banking.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 962, as introduced, Migden. Umbilical cord blood banking: information.

The Hereditary Disorders Act requires the State Department of Health Services to establish regulations and standards for a hereditary disorders program, including with respect to prenatal testing programs for newborns. A violation of these provisions is a crime.

Pursuant to this act, existing regulations require clinicians to provide all pregnant women, at the first prenatal visit, with information about the use and availability of prenatal screening for birth defects of the fetus. If a pregnant woman voluntarily requests prenatal screening, these regulations, among other things, require a clinician to make available to her the opportunity to read and sign a consent document, as specified.

Effective July 1, 2007, responsibility for the administration of the above-mentioned provisions will be transferred to the State Department of Public Health.

This bill would require that the information and opportunities provided to pregnant women related to prenatal screening also include the same manner of information and opportunities related to umbilical cord blood banking, as specified.

By expanding the definition of an existing crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares that the  
2 removal and discarding of umbilical cord blood from a pregnant  
3 woman at the time of birth delivery, without the understanding  
4 and approval of the expectant families, is a growing concern to  
5 the people of this state.

6 SEC. 2. Section 124991 is added to the Health and Safety Code,  
7 to read:

8 124991. (a) For purposes of this section, “umbilical cord  
9 blood” means the blood that remains in the umbilical cord and  
10 placenta after the birth of a newborn child.

11 (b) The information provided to pregnant women pursuant to  
12 Section 6527 of Title 17 of the California Code of Regulations,  
13 and the requirements associated therewith, shall also include the  
14 option of umbilical cord blood banking. For purposes of this  
15 section, these options shall include:

16 (1) Discarding the stem cells.

17 (2) Donating the stem cells to a public umbilical cord blood  
18 bank.

19 (3) Storing the stem cells in a family umbilical cord blood bank  
20 for the use by the immediate and extended family members.

21 SEC. 3. No reimbursement is required by this act pursuant to  
22 Section 6 of Article XIII B of the California Constitution because  
23 the only costs that may be incurred by a local agency or school  
24 district will be incurred because this act creates a new crime or  
25 infraction, eliminates a crime or infraction, or changes the penalty  
26 for a crime or infraction, within the meaning of Section 17556 of  
27 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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